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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,973	10/05/2001	Kimberly K. Read	10013080-1	3215

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HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/970,973		READ, KIMBERLY K.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Gregory J. Vaughn		2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Action Background***

1. This action is responsive to the applicant's response, filed on 10/5/2005.
2. Applicant has added new claim 13.
3. Claims 1-13 are pending in the case, claims 1 and 8 are independent claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

5. Claims 1-12 remain rejected and claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arora et al. US Patent 5,911,145, filed 7/29/1996 (hereinafter Arora) in view of Courter et al. 'Mastering Microsoft Office 2000 Professional Edition' published 1999 (hereinafter Courter).

6. **Regarding independent claim 1**, Arora discloses a data driven web page creation method. Arora recites: *"The following paragraphs describe how the user creates a hierarchy of pages for a site. It will be understood that all flow charts in this document represent steps performed by processor 102 executing instructions of structure editor software 102"* (column 5, lines 36-40) and *"FIG. 9 is a flow chart showing steps performed by structure editor software 120 to create a new page in the site"* (column 7, lines 66-67). Arora discloses in Figure 4 creating a web page (shown as "Home" at reference sign 250) with an attribute category (shown as "Welcome" at reference sign 452), an attribute group (shown as "Services" at reference sign 458), an attribute (shown as "Boots" at reference sign 472), and attribute-to-attribute association information (shown as sibling attributes "Skis" and "Poles" at reference sign 470 and 474 respectively).

Arora discloses creating a web page with an attribute category, an attribute group, an attribute, and attribute-to-attribute association information, as described above. Arora fails to explicitly describe a first screen for receiving category information, a second screen for receiving group information, a third screen for receiving attribute information, and a forth screen for receiving attribute to attribute association information. However, the use of separate screens for receiving relational data information is well known in the relational database arts. This is demonstrated by Courter, who discloses separate screens for receiving category, group, attribute, and attribute association information for a Microsoft Access Database. Courter

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discloses a generic screen in Figure 31.11 on page 771. This is the screen used to create the data objects associated with the relational database, and would be used repeatedly (for four or more objects) for receiving the information related to the web page. Courter discloses in Figure 29.8 on page 720, category information (shown as the “*Categories*” table), group information (shown as the “*Products*” table), attribute information (shown as the “*Order Details*”) and attribute-to-attribute group information (shown as the “*Orders*” table).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use the hierarchical structure web page editor with Courter’s fundamental teachings of relational database building techniques in order to provide a database oriented web page, because “*databases represent a quantum leap in data management capability*” (Courter, page 708, first paragraph).

7. **Regarding dependent claim 2**, Arora discloses receiving a column specification in Figure 22 at reference sign 2250 (shown as the “*Properties*” windows”).
8. **Regarding dependent claim 3**, Arora discloses receiving a column specification for the number of columns and column orientation in Figure 22 at reference signs 2264 (shown as “*Width*”) and 2274 (shown as “*Horizontal Splitter*”).

9. **Regarding dependent claims 4 and 5**, Arora fails to explicitly describe the attribute category information as a category ID, category name, column number and table orientation (claim 4) or the attribute group information as Category ID, group ID, group order and group name (claim 5). Courter discloses in Figure 29.8 on page 720: a category ID, category name, column number (shown as "*Description*") and table orientation (shown as the 1 to many table relationship); and the group information including a category ID (shown in the "*Products*" table), group ID (shown as "*ProductID*"), group name (shown as "*ProductName*"), and the group order (shown as the "*OrderID*" in the "*Order Details*" table).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to use the hierarchical structure web page editor with Courter's fundamental teachings of relational database building techniques in order to provide a database oriented web page, because "*databases represent a quantum leap in data management capability*" (Courter, page 708, first paragraph).

10. **Regarding dependent claims 6 and 7**, Arora fails to explicitly describe the attribute information including attribute ID, attribute type, and attribute name information (claim 6) or the attribute to attribute group association information including group, attribute, attribute order, and default value information (claim 7). Courter discloses in Figure 29.8 on page 720: attribute information including attribute ID (shown as "*ProductID*"), attribute type (shown as "*Discontinued*"), and attribute name information (shown as

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"*ProductName*"); and the attribute to attribute group information including group (shown as "*OrderID*"), attribute (shown as "*ProductID*"), attribute order (shown as "*OrderDate*") and default value (shown as "*Freight*").

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to use the hierarchical structure web page editor with Courter's fundamental teachings of relational database building techniques in order to provide a database oriented web page, because "*databases represent a quantum leap in data management capability*" (Courter, page 708, first paragraph).

11. **Regarding independent claim 8**, the claim is directed toward a system for the method of claim 1, and is rejected using the same rationale.
12. **Regarding dependent claim 9**, the claim is directed toward a system for the method of claim 4, and is rejected using the same rationale.
13. **Regarding dependent claim 10**, the claim is directed toward a system for the method of claim 5, and is rejected using the same rationale.
14. **Regarding dependent claim 11**, the claim is directed toward a system for the method of claim 6, and is rejected using the same rationale.
15. **Regarding dependent claim 12**, the claim is directed toward a system for the method of claim 7, and is rejected using the same rationale.

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16. **Regarding dependent claim 13**, the claim is directed toward a computer-readable medium for the method of claim 1, and is rejected using the same rationale.



***Response to Arguments***

17. Applicant's arguments filed 10/5/2005 have been fully considered but they are not persuasive.
18. **Regarding independent claim 1**, the applicant argues: "*Arora fails to disclose screens for receiving attribute category information, attribute group information, attribute information, and attribute to attribute group association information*" (page 5, fourth paragraph of the response filed 10/5/2005). Applicant is directed to the rejection of claim 1 as restated above. Arora combined with Courter disclose the claimed invention. Arora's invention is directed toward web page creation (column 5, lines 36-40), in which attribute category, attribute group, attribute information and attribute-to-attribute association information is incorporated into the web page creation (see Figure 4). Courter teaches the use of multiple screens to receive relational data information.
19. **Also, regarding independent claim 1**, the applicant argues: "*Arora fails to disclose creating a web page using the attribute category, attribute group, attribute, and attribute to attribute group association information.*" (page 5, fifth paragraph of the response filed 10/5/2005). Applicant is directed to the rejection of claim 1 as restated above. Arora combined with Courter disclose the claimed invention. Arora's invention is directed toward web page creation (column 5, lines 36-40), in which attribute category, attribute group, attribute information and attribute-to-attribute association information is incorporated

into the web page creation (see Figure 4). Courter teaches the use of multiple screens to receive relational data information.

20. **Also, regarding independent claim 1**, the applicant argues: "*Courter fails to cure the admitted Arora deficiency as Courter at Figure 31.11 depicts common form controls for use in creating a form for receiving or displaying information in a table. Specifically, Figure 31.11 of Courter depicts form controls and not a screen used to create data objects or for receiving information related to a web page*" (page 6, second paragraph of the response filed 10/5/2005). Applicant is directed to the rejection of claim 1 as restated above. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "*a screen used to create data objects*") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Further more, Courter is relied upon to teach the use of separate screens for receiving relational information. Figure 31.11 of Courter discloses an information receiving screen that would be used repeatedly to create relational structure, as shown in Figure 29.8.

21. **Also, regarding independent claim 1**, the applicant argues: "*The Examiner has neither identified any teaching in Arora or Courter motivating or suggesting the asserted combination to a person of ordinary skill in the art nor*

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*provided an affidavit because there is no teaching to be found"* (page 7, third paragraph of the response filed 10/5/2005). In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Arora is directed toward creating and editing hierarchical structure web pages. Web pages are part of the World Wide Web, which is commonly referred to as a large database. Courter is directed toward creating a hierarchical (i.e. relational) database. The combination of the references is deemed appropriate.

22. **Also, regarding independent claim 1**, the applicant argues: "*even if the tables of Courter were combined with the Arora web page editor, the combination still fails to disclose presenting first, second, third, and fourth screens for receiving attribute category information, attribute group information, attribute information, and attribute to attribute group association information, respectively, and creating a web page using the attribute category information, attribute group information, attribute information, and attribute to attribute group association information*" (page 8, second paragraph of the response filed 10/5/2005). Applicant is directed to the

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rejection of claim 1 as restated above, and to the examiner's response to this remark, as described in previous paragraphs of this section.

### ***Conclusion***

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124.

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The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
December 21, 2005

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*12/22/2005*